

U.S. Appln. No. 09/911,584  
Reply to Office Action dated December 14, 2005

PATENT  
450110-3472.3

### **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-9, 11, 14, and 15 are pending in this application. Claims 1, 9, and 14 are independent. Claims 1, 9, and 14 are hereby amended. Claims 10, 12, and 13 have been canceled without prejudice or disclaimer of subject matter.

It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### **II. REJECTIONS OF THE CLAIMS**

Claims 1, 3-7, 9, and 11 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,402,501 to Silfvajt, et al.

Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,402,501 to Silfvajt, et al. in view of U.S. Patent No. 5,623,551 to East, et al.

Claim I recites, inter alia:

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“...a first signal processing apparatus; and

a second signal processing apparatus,

wherein said set of automation commands are generated based upon a timecode signal and a first set of automated signal processing functions associated with the first signal processing apparatus,

said set of automation commands controlling said first signal processing apparatus by invoking said first set of automated signal processing functions,

said automation commands also controlling the operation of at least the second signal processing apparatus having a second, different set of automated signal processing functions and using a different timecode signal by similarly invoking said second set of automation signal processing functions...” (emphasis added)

As understood by Applicants, U.S. Patent No. 5,402,501 to Silfvajt, et al.

(hereinafter, merely “Silfvajt”) relates to a production mix controller for processing and mixing audio signals that has a control console separate from the audio mainframe. The audio signals that are to be mixed are confined to the mainframe and the control console has channels of input devices providing input control signals.

Applicants submit that nothing has been found in Silfvajt that would teach or suggest the above-identified features of claim 1. Specifically Applicants submit that Silfvajt does not teach or suggest a first signal processing apparatus, and a second signal processing apparatus, wherein said set of automation commands are generated based upon a timecode signal and a first set of automated signal processing functions associated with the first signal processing apparatus, automation commands also controlling the operation of at least the second signal processing apparatus having a second, different set of automated signal processing functions and using a different timecode signal by similarly invoking said second set of automation signal

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processing functions, as recited in claim 1. Therefore, Applicants submit that claim 1 is patentable.

Furthermore, Applicants note that the Office Action relies upon column 15, lines 44-62 Silfvajt to disclose every feature in the outstanding rejection. Applicants respectfully submit that the cited disclosure in Silfvajt does not disclose a first signal processing apparatus, a second signal processing apparatus, and the functionality, as recited in claim 1.

For reasons similar to those discussed above, claim 9 is also patentable.

Claims 13-15 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by WO 91/15851 to Schult, et al.

Claim 14 recites, *inter alia*:

“...said signal processing apparatus comprising:

a first signal processing apparatus;

a second signal processing apparatus,

wherein said set of automation commands being generated based upon a timecode signal and a first set of automated signal processing functions associated with the first signal processing apparatus.

said set of automation commands controlling said first signal processing apparatus by invoking said first set of automated signal processing functions.

said automation commands also controlling the operation of at least the second signal processing apparatus having a second, different set of automated signal processing functions and using a different timecode signal by similarly invoking said second set of automation signal processing functions;

means for receiving automation commands by said first of said signal processing apparatus, each automation command comprising an automation control command and information specifying said associated timecode signal.

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wherein said receiving means comprises means for  
retrieving automation commands stored on a storage  
medium; and

means for recording and/or retrieving an automation  
database on said storage medium, said automation database  
specifying said automation points within said first signal  
processing apparatus on which said stored automation  
commands were generated.” (emphasis added)

As understood by Applicants, WO 91/15851 to Schult, et al. (hereinafter, merely “Schult”) relates to process for the automatic real time alteration of electric signals store on a signal substrate.

Applicants submit that nothing has been found in Schult that would teach of suggest the above-identified features of claim 14. Therefore, claim 14 is patentable.

Furthermore, Applicants note that the Examiner cites no portion of Schult to support the rejection.

Furthermore, Applicants respectfully submit that nothing has been found in Silfvajt that would teach or suggest the above-identified features of claim 14.

Furthermore, Applicants submit that East is disqualified as §103 prior art to the present application under the provisions of 35 U.S.C. 103(c).

Under the provisions of 35 U.S.C. 103(c), as amended on November 29, 1999, subject matter developed by another person, which qualifies as prior art only under one of more of subsections (e), (f) and (g) of 35 U.S.C. 102, shall not preclude patentability under §103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person or organization. East and the present application were, at the time the present invention was made, subject to an obligation of assignment to the same organization, i.e., Sony Corporation.

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Thus all of the outstanding rejections based upon East in the above-noted Office Action are overcome.

### III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
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